

UNITED STATES DISTRICT COURT

for
Middle District of Pennsylvania

FILED
HARRISBURG, PA

OCT 30 2006

U.S.A. vs: James Belcher Docket No. 1:06-CR-154

MARY E D'ANDREA, CLERK
Per [Signature] Deputy Clerk

Petition for Action on Conditions of Pretrial Release

COMES NOW Mark A. Buckwalter PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant James Belcher who pled guilty to an Indictment charging him with possession of child pornography before the Honorable William W. Caldwell sitting in the court at Harrisburg, on the 21st day of June, 2006. The defendant was released on his personal recognizance with pretrial services supervision. Special conditions require that the defendant have no contact with any persons under the age of eighteen, undergo medical or psychiatric evaluation and treatment as directed by pretrial services and not access any pornographic materials through a computer or Internet access.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:
(If short insert here; if lengthy write on separate sheet and attach)

On July 27, 2006, H.R. 4472, PL109-248, **Adam Walsh Act** was signed into law. As a result of the new law, 18 U.S.C. § 3142 was amended to require that the Court impose electronic monitoring as a condition of pretrial release in any case that involves a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251(A), 2252(a)(1) to (3), 2252A(a)(1) to (4), 2260, 2421, 2422, 2423, 2425, or a 2250 failure to register offense. In addition to the imposition of electronic monitoring, the law requires that the Court also impose, at a minimum, the conditions specified in 18 U.S.C. § 3142(c)(1)(B)(iv),(v),(vi), (vii) and (viii) [pretrial services supervision and restrictions pertaining to travel, residence, victims, witnesses, firearms and curfew].

Because the defendant was charged with and pled guilty to an 18 U.S.C. § 2252A(a)(2)(B) violation, Possession of Child Pornography, conditions are required to be amended to include a daily curfew to be electronically monitored, travel restriction, residence restriction, no contact with victims or witnesses and require that the defendant refrain from the possession of a firearms or destructive devices.

PRAYING THAT THE COURT WILL ORDER the release conditions be modified to include that the defendant comply with a daily curfew to be electronically monitored and scheduled by the probation officer, restrict travel to the Middle District of Pennsylvania, not change address without the permission of the Court, have no contact with any victims or witnesses in the case and refrain from the possession of a firearm or destructive devices.

I declare under penalty of perjury that the foregoing is true and correct.

ORDER OF COURT

Considered and ordered this 30TH day
of October, 2006 and ordered filed
and made a part of the records in the above case.

[Signature]
United States District Judge

Respectfully,

[Signature]
U.S. Pretrial Services Officer

Place Harrisburg, PA

Date 19 October, 2006